

REMARKS

Claims 1-15 remain pending in this application. Claims 1-7 and 9-10 have been amended. No new matter has been added.

Double Patenting

Applicants submit herewith a Terminal Disclaimer with respect to application No. 10/083,359 and request that the Terminal Disclaimer be entered to overcome the provisional obviousness-type double patenting rejection of claims 1 and 9.

Claim Rejections - 35 U.S.C. §112

Claims 2-3, 7 and 10 have been amended to overcome the 35 U.S.C. §112, second paragraph, rejection.

Claim Rejections – 35 U.S.C. §§102 and 103

Claims 1, 2, 9, 12 are rejected under 35 U.S.C. §102(e) as being anticipated by Ilan, U.S. Publication No. 2002/0059184 (Ilan hereafter). Claim 3 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Ilan in view of Inala et al., U.S. Publication No. 2003/0014489. Claims 4-8 stand rejected under 35 U.S.C. §103 over Ilan in view of Emens et al., U.S. Patent No. 6,745,178 (Emens). Claim 10 is rejected under 35 U.S.C. §103(a) as being unpatentable over Ilan in view of Wang et al., U.S. Patent No. 6,058,428 (Wang). Claim 11 is rejected under 35 U.S.C. §103(a) as being unpatentable over Ilan, in view of McGee III et al., U.S. Publication No. 2002/0104088 (McGee) and Yoneda et al., U.S. Patent

No. 6,002,832 (Yoneda). Further, claims 14 and 15 are rejected under 35 U.S.C. §103(a) as being unpatentable over Ilan in view of McGee. Applicants request reconsideration of the rejections for the following reasons.

The present invention is directed toward an information exchange method and a terminal device for information exchange. Independent claims 1, 4 and 9 set forth that first information and second information are sent over or across a computer network. The first information identifies a displayed image and the second information includes information relevant to position or time of an object indicated from the displayed image. The image that is displayed may regard content of interest rendered by media, for example, the channel number of a television program. Further, the second information can include area information indicated from the displayed image by using a pointing device, for example. Accordingly to the present invention it is possible to exchange messages over or across a computer network, and it is unnecessary to use key words in the message exchange.

The amendments to claims 1, 4 and 9 regarding the second information including information relevant to position or time of an object are supported by the specification. See page 11, line 5 to page 12, line 1 of the specification, for example,.

The primary reference relied upon in the rejection is the newly applied reference of Ilan. Ilan discloses a system and method that enables real-time communications between users across a computer network using a URL. However, as described by Ilan, it is necessary to enter a key word to communicate with other users. See paragraph [0023], for example, which describes entering the key word “automobile”, which is used to initiate communication between users who are both interested in this subject area, such as online instant messaging.

Accordingly, Ilan does not disclose or suggest the invention as set forth in amended claims 1, 4 and 9 that includes the sending of first and second information wherein the second information includes information relative to position or time of an object indicated from the displayed image, sent from the first and second terminal devices to a server device (claim 1); sent with a message from the first terminal device to an information exchange server equipment (claim 4); or transmitted with a message over a computer network with a communication unit (claim 9).

Accordingly, claims 1, 2, 9, 12 and 13 are not anticipated by Ilan.

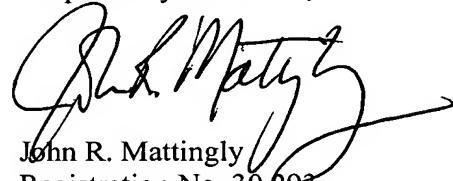
Independent claim 4 is rejected over the combination of Ilan and Emens, of record, Emens, however, does not disclose or suggest the first and second information claimed by Applicants in amended claim 4. In Emens, keywords need to be input by the user and therefore Emens is similarly deficient as Ilan with respect to disclosing the invention as set forth in the amended independent claims. See, for example, column 5, lines 17-23 of Emens which sets forth entering a query “view cafe” as an example of a user entering keywords in the Emens method for identifying users with similar interests. Accordingly, the combination of Ilan and Emens does not render claims 4-8 unpatentable under 35 U.S.C. § 103.

Applicants comments with regard to McGee, Wang and Yoneda are of record as set forth in the remarks of the amendment filed June 30, 2005, which are hereby incorporated by reference. Each of these references, which is applied to the dependent claims of the invention, is insufficient to overcome the deficiencies as noted above in the Ilan and Emens teachings. Accordingly, each of the dependent claims is patentable over the art of record, at least since each depends from an allowable based claims.

Conclusion

In view of the foregoing amendments and remarks, reconsideration and reexamination are respectfully requested.

Respectfully submitted,



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